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10 Barkley & Associates, Inc. Case No. 2:24-cv-03645 MEMF(PVCx)
11 Plaintiff, Tamsut Declaration Supporting Request
12 v. to Enter Default Against Defendants
13 Raymond Zakhari et al., Ayman Asayed, Zeyed Asayed and Iceberg
14 Defendants. LLC
15 Judge: Maame Ewusimensah Frimpong

16 I, Brian Tamsut declare:

- 17 1. I am a member of the State Bar of California and of the bar of
this Court. I represent plaintiff Barkley & Associates, Inc. for whom I
18 submit this declaration. I am over 18 years old and am competent to
testify.
- 19 2. Exhibit 1 is the proof of service on Iceberg LLC [Dkt. 34].
- 20 3. Plaintiff has tried but cannot serve defendants Zeyed Asayed
and Ayman Asayed.
- 21 4. Exhibit 2 is A. Asayed, Z. Asayed, and Iceberg LLC May 28,
22 2025, motion to dismiss for lack of personal jurisdiction [Dkt. 36].
- 23 5. Exhibit 3 is “Notice to Filer of Deficiencies,” and Exhibit 4 is
24 the Court’s June 17, 2025, order striking the motion because the defend-
ants did not meet and confer.

6. On July 17, 2025, I conferred by telephone with defendant Ayman Asayed. No other defendant took part. Mr. Asayed said he did not plan to move to dismiss or to answer the complaint for himself or Iceberg, and neither he nor Iceberg intended to take part in the lawsuit.

7. Since then, Mr. Asayed and Iceberg have not answered the complaint and filed no Rule 12 motion.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

October 27, 2025

/s/ Brian Tamsut

Brian Tamsut

PROOF OF SERVICE

I declare under penalty of perjury of the laws of the United States that on October 27, 2025, I served “Tamsut Declaration Supporting Request to Enter Default Against Defendants Ayman Asayed, Zeyed Asayed and Iceberg LLC” to attorneys for all defendants by e-mail to Omero@banuelos-law.com

October 27, 2025

/s/ Anneliese Lomonaco

Anneliese Lomonaco